

REMARKS

In the July 18, 2007 Office Action, the Examiner noted that claims 1-18 were pending in the application and were all rejected under 35 U.S.C. § 103(a). In rejecting the claims, U.S. Patents 6,850,959 to Golds; 5,905,990 to Inglett; 6,708,209 to Ebata et al.; 6,549,916 to Sedlar; 5,923,832 to Shirakihara et al.; 6,826,609 to Smith et al.; 6,754,663 to Small et al. (References A-E in the July 18, 2007 Office Action); 5,437,029 to Sinha (Reference A in the August 11, 2005 Office Action); 6,185,574 to Howard et al.; and 6,195,695 to Cheston et al. (References B and C, respectively, in the April 23, 2004 Office Action) were cited. Claims 1-18 remain in the case. The rejections are traversed below.

Rejections under 35 USC § 103(a)

On pages 2-3 of the July 18, 2007 Office Action, claims 1, 11, 15, 16 and 18 were rejected under 35 USC § 103(a) as unpatentable over Golds in view of Sinha. In making this rejection, it was acknowledged that "Golds ... does not disclose (sic) in correspondence with path information of a directory" (Office Action, page 2, lines 18-19) where it appears that the words "doing anything" could be inserted after "disclose" to make a complete statement. Due to this acknowledged deficiency of Golds, Fig. 1 and column 1, line 53 to column 2, line 10 of Sinha was cited as allegedly teaching what was missing from Golds.

All that was cited in Golds is that "its data is elsewhere. The link file 84 may be made sparse, thereby reclaiming its disk space. The migration policy may be set by default and/or by an administrator or user ..." (column 5, lines 53-55), with context for these words provided by the other portion (Fig. 1 and column 1, line 53 to column 2, line 10) of Golds that also was cited (at page 2, lines 19-20, of the Office Action). As explained therein, a file is "made sparse" when the "file data ... is ... removed" (column 1, lines 62-63) and according to "an appropriate [migration] policy, an agent of the operating system automatically migrates selected file data from the original drive to the new drive" (column 1, lines 54-56).

The cited portions of Sinha essentially describe "obtain[ing] location information for a subdirectory" (column 1, line 66). No mention of anything "specifying file usage" or anything that might be considered "policy attribute data" of any directory can be found in Fig. 1 and column 1, line 53 to column 2, line 10 of Sinha. Therefore, all that Sinha adds to Golds is that the directory being moved might be a subdirectory with a structure like that illustrated in Fig. 1 of Sinha, not that "policy attribute data specifying file usage ... [is set] in correspondence with path information of a directory" (claim 1, lines 3-4). It is submitted that this is insufficient to suggest to one of

ordinary skill in the art that Golds could be modified to provide "a setting unit setting policy attribute data specifying file usage, determined by an administrative user, in correspondence with path information of a directory" (claim 1, lines 3-4). For the above reasons, it is submitted that claim 1, as well as claim 11 which depends therefrom, patentably distinguish over Golds in view of Sinha.

Claims 15 and 16 each recite "setting policy attribute data indicating a policy, determined by an administrative user, on which file management is based in correspondence with path information of a directory" (lines 3-4) and claim 18 recites "setting policy attribute data indicating a policy, determined by an administrative user, for storing a file depending on type of information in the file, file usage specified by an administrative user and path information of a directory in which the file is stored" (claim 18, lines 3-5). Therefore, it is submitted that claims 15, 16 and 18 patentably distinguish over Golds in view of Sinha for at least the reasons discussed above with respect to claim 1.

On pages 3-4 of the July 18, 2007 Office Action, claims 2, 7, 8 and 17 were rejected under 35 USC § 103(a) as unpatentable over Golds in view of Inglett. Claims 2 and 17 have been amended to recite "managing a file based on policy data composed of the path information of the directory and the policy attribute data" (claim 2, lines 5-6) and "managing files in the directory based on policy data composed of the path information of the directory and the policy attribute data" (claim 17, lines 6-7). As noted above, the July 18, 2007 Office Action acknowledged that this is not disclosed by Golds and it is submitted that Sinha does not make up for this deficiency. Nothing was cited or found in Inglett that teaches or suggests modification of Golds, taken alone or in view of Sinha, to meet all of the limitations now recited in claims 2 and 17. As claims 7 and 8 depend from claim 2, it is submitted that claims 2, 7, 8 and 17 patentably distinguish over Golds in view of Inglett, as well as Golds in view of Sinha and Inglett for the above reasons.

On page 4 of the July 18, 2007 Office Action, claim 3 was rejected under 35 USC § 103(a) as unpatentable over Golds in view of Sinha and further in view of Ebata et al. Nothing has been cited or found in Ebata et al. that teaches or suggests modification of Golds in view of Sinha to overcome the deficiencies discussed above. Claim 3 depends from claim 1; therefore, it is submitted that claim 3 patentably distinguishes over Golds in view of Sinha and Ebata et al. for at least the reasons set forth above with respect to claim 1.

On pages 4-5 of the July 18, 2007 Office Action, claim 4 was rejected under 35 USC § 103(a) as unpatentable over Golds in view of Sinha and Ebata et al. and further in view of Sedlar

Nothing has been cited or found in Sedlar that teaches or suggests modification of Golds in view of Sinha and Ebata et al. to overcome the deficiencies discussed above. Claim 4 depends from claim 3; therefore, it is submitted that claim 4 patentably distinguishes over Golds in view of Sinha, Ebata et al., and Sedlar for at least the reasons set forth above with respect to claim 1 from which claim 3 depends.

On pages 5-6 of the July 18, 2007 Office Action, claims 5 and 6 were rejected under 35 USC § 103(a) as unpatentable over Golds in view of Sinha, Ebata et al. and Sedlar and further in view of Shirakihara et al. Nothing has been cited or found in Shirakihara et al. that teaches or suggests modification of Golds in view of Sinha, Ebata et al. and Sedlar to overcome the deficiencies discussed above. Claims 5 and 6 depend from claim 4; therefore, it is submitted that claims 5 and 6 patentably distinguish over Golds in view of Sinha, Ebata et al., Sedlar and Shirakihara et al. for at least the reasons set forth above with respect to claim 1 from which claim 4 depends (via claim 3).

On page 6 of the July 18, 2007 Office Action, claim 9 was rejected under 35 USC § 103(a) as unpatentable over Golds in view of Sinha and further in view of Smith et al. Nothing has been cited or found in Smith et al. that teaches or suggests modification of Golds in view of Sinha to overcome the deficiencies discussed above. Claim 9 depends from claim 1; therefore, it is submitted that claim 9 patentably distinguishes over Golds in view of Sinha and Smith et al. for at least the reasons set forth above with respect to claim 1.

On page 7 of the July 18, 2007 Office Action, claim 10 was rejected under 35 USC § 103(a) as unpatentable over Golds in view of Sinha and further in view of Small et al. Nothing has been cited or found in Small et al. that teaches or suggests modification of Golds in view of Sinha to overcome the deficiencies discussed above. Claim 10 depends from claim 1; therefore, it is submitted that claim 10 patentably distinguishes over Golds in view of Sinha and Small et al. for at least the reasons set forth above with respect to claim 1.

On pages 7-8 of the July 18, 2007 Office Action, claim 12 was rejected under 35 USC § 103(a) as unpatentable over Golds in view of Sinha and further in view of Howard et al. Nothing has been cited or found in Howard et al. that teaches or suggests modification of Golds in view of Sinha to overcome the deficiencies discussed above. Claim 12 depends from claim 1; therefore, it is submitted that claim 12 patentably distinguishes over Golds in view of Sinha and Howard et al. for at least the reasons set forth above with respect to claim 1.

On pages 8-9 of the July 18, 2007 Office Action, claims 13 and 14 were rejected under 35 USC § 103(a) as unpatentable over Golds in view of Sinha and Howard et al. and further in

view of Cheston et al. Nothing has been cited or found in Cheston et al. that teaches or suggests modification of Golds in view of Sinha and Howard et al. to overcome the deficiencies discussed above. Claims 13 and 14 depend from claim 12; therefore, it is submitted that claims 13 and 14 patentably distinguish over Golds in view of Sinha, Howard et al. and Cheston et al. for at least the reasons set forth above with respect to claim 1 from which claim 12 depends.

Summary

It is submitted that the references cited by the Examiner do not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-18 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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